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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

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11 B.N., a minor, by and through  
T.N., his Guardian ad Litem,

12 NO. CIV. S-05-826 LKK/GGH

13 Plaintiff,

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v.

O R D E R

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DAVIS JOINT UNIFIED SCHOOL  
DISTRICT and YOLO COUNTY  
OFFICE OF EDUCATION,

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Defendants.

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Plaintiff brings suit under Section 1415(i)(2)(A) of the  
Individuals with Disabilities Education Act ("IDEA"). Plaintiff  
alleges that B.N., a three-year-old child, has been aggrieved by  
a hearing decision rendered by the Special Education Hearing Office  
on or about February 1, 2005. This matter is before the court  
pursuant to an order issued by the court during a July 25, 2005  
Status Conference. Plaintiff was ordered to "bring on a motion  
within thirty (30) days to test the right to further discovery and  
the admission of additional evidence." Having considered the

1 parties' papers and arguments raised during oral argument, the  
2 court ORDERS as follows:

3 1. Plaintiff's motion for further discovery is GRANTED.

4 Plaintiff, however, is directed to inform defendants of discovery  
5 matters sought, and if defendants object to such requests,  
6 defendants shall bring a motion before the magistrate judge.<sup>1</sup>

7       2. Pursuant to the July 25, 2005 Status Conference, a further  
8 Status Conference is scheduled for December 12, 2005 at 2:00 p.m.  
9 The parties are reminded of their obligation to file status reports  
10 prior to the conference.

IT IS SO ORDERED.

12 || DATED: October 12, 2005.

<sup>1</sup> The court admonishes plaintiff to follow the guidelines set forth in Ojai Unified Sch. Dist. v. Jackson, 4 F.3d 1467 (9th Cir. 1993), with regard to admissibility of evidence. Defendant is also reminded of this court's broad discretion to admit additional evidence under Ojai and the governing statute, and thus, the court will not look kindly upon unnecessary discovery objections.